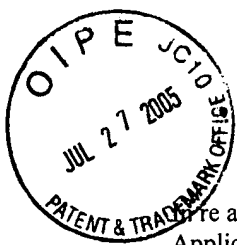


07-28-05

1643



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Ernest G. Hope

Application No.: 09/722,096

Filed: November 22, 2000

Group No. 1643

Examiner: Christopher H. Yaen

For: ANTI-ANGIOGENIC CELLULAR AGENT FOR CANCER THERAPY

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" label number: EQ002668415US

Date of Deposit: July 27, 2005

I hereby certify that the following attached paper or fee:

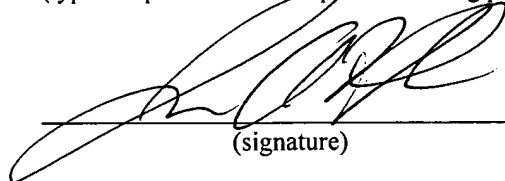
AMENDMENT TRANSMITTAL (In duplicate)

AMENDMENT

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: **Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Jesse A. Hirshman

(typed or printed name of person mailing paper or fee)


(signature)

NOTE: Each paper must have its own certificate and the "Express Mail" label number as a part thereof or attached thereto. When, as here, the certification is presented on a separate sheet, that sheet must (1) be signed and (2) fully identify and be securely attached to the paper or fee it accompanies. Identification should include the serial number and filing date of the application as well as the type of paper being filed, e.g. complete application, specification and drawings, responses to rejection or refusal, notice of appeal, etc. If the serial number of the application is not known, the identification should include at least the name of the inventor(s) and the title of the invention.

NOTE: The label number need not be placed in each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.



Attorney's Docket No: 040182

PATENT

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Group No.: 1643

Application No.: 09/722,096

Filed: November 22, 2000

Inventor: Ernest G. Hope

ANTI-ANGIOGENIC CELLULAR
AGENT FOR CANCER THERAPY

Examiner: Christopher H. Yaen

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is:

- ☒ a small entity. A statement that this filing is by a small entity is hereby asserted in accordance with the rule change effective September 8, 2000, 65 Fed. Reg. 54603.
- ☐ Other than a small entity.

EXTENSION OF TIME

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) - If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G.34-35).

NOTE: See 37 CFR 1.645 for extensions of time in interference proceedings, and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(complete (a) or (b), as applicable)

(a) ☐ Applicant petitions for an extension of time under 38 CFR 1.136
(fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00
	Fee \$	\$0.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

(Col.1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS								
REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA	ADDIT. RATE FEE	<i>OR</i>	ADDIT. RATE FEE	
TOTAL	73*	MINUS	92**	=0	X\$25=	\$0	X\$50=	\$0
INDEP.	10*	MINUS	12***	=0	X\$100=	\$0	X\$100=	\$0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+\$180=	\$0	+\$360=	\$0
					TOTAL	\$0	<i>OR</i> TOTAL	\$0
					ADDIT. FEE		ADDIT. FEE	

* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 3, enter "3."

The "Highest No. Previously Paid for" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING "After final rejection or action (§ 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 CFR § 1.116(a) (emphasis added).

Complete (c) or (d), as applicable)

- (c) ☒ No additional fee for claims is required.

OR

- (d) ☐ Total additional fee for claims required \$ 0.00

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ 0.00.

☐ Authorization is hereby made to charge the amount of \$ _____ to Deposit Account No. 50-3455.

- ☒ Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-3455.

FEE DEFICIENCY

NOTE: *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. ☒ You are hereby authorized to charge Account No. 50-3455 if any additional extension fee and/or other fee is/are required under 37 C.F.R §§ 1.16 or 1.17,.

AND/OR

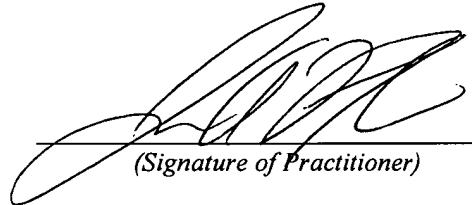
- ☒ You are hereby authorized to charge Account No. 50-3455 if any additional fee for claims is required.

A duplicate of this paper is attached.

Reg. No.: 40,016

Tel. No.: (412) 421-5542

Customer No.: 52323


(Signature of Practitioner)

Jesse A. Hirshman
(type or print name of attorney)

Jesse A. Hirshman, Esq.
2611 Beechwood Blvd.
Pittsburgh, PA 15217
(P.O. Address)

Attorney Reference No. 040182

PATENT

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AMENDMENT AND SEQUENCE LISTING

Pittsburgh, PA 15217
July 27, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir,

In response to the Office action dated July 12, 2005 in connection with the above-referenced Patent Application ("the Application"), Applicant submits the following Amendments, Sequence Listing and Remarks, which are essentially identical to those submitted in connection with Applicant's response Mailed on April 20, 2005, with the addition of claim status identifiers for claims 170-172, as requested by the Examiner.

Amendments to the Specification begin on page 2.

Amendments to the Claims begin on page 5.

Remarks begin on page 12.